



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*86 Chambers Street
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June 17, 2019

BY ECF

The Honorable P. Kevin Castel
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 1020
New York, NY 10007

*Re: Lambda Legal Defense and Education Fund, Inc. v. U.S. Dep't of Health
and Human Services, No. 19 Civ. 4707 (PKC)*

Dear Judge Castel:

This Office represents Defendant United States Department of Health and Human Services ("HHS") in the above-referenced case brought by Plaintiff Lambda Legal Defense and Education Fund, Inc. ("Plaintiff"), pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552. I write respectfully pursuant to Part I.B of the Court's Individual Practices and Procedures to request an extension of HHS's time to respond to the complaint in this matter.

On May 22, 2019, Plaintiff filed the complaint in this action. *See* Docket No. 1. The complaint was served on this Office on May 24, 2019. *See* Docket No. 9. HHS's response to the complaint is currently due on June 24, 2019. We make this request because this Office requires additional time to assess the facts of and claims asserted in this FOIA action. In addition, the parties have conferred and are working cooperatively to seek potential resolution of this matter. Accordingly, HHS respectfully requests a one-month extension of its time to respond to the complaint to July 24, 2019. This is HHS's first request for an extension, and Plaintiff consents to this request.

The Court scheduled an initial conference in this matter for July 19, 2019, at 11:45 a.m. *See* Docket No. 7. In accordance with Part I.B of the Court's Individual Practices and Procedures, HHS requests an adjournment of the initial conference to a date at least 14 days after its answer would be due. The parties are available on August 12, 13, 15, or 16, or on any date thereafter that is convenient for the Court.

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We thank the Court for its consideration of this request.

Respectfully submitted,

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cc: All counsel of record (via ECF)